

Supplement



Jim Gibbons
<jim@bongino.com>
02/25/2013 02:17 PM

To: jjordan@fec.gov,
cc
Subject: Re: Audio Recording in MUR 6690 (Sobhani)

Hello Jeff,

Here is the raw file we got from a supporter who recorded robo call in question. We recieved similar calls from other supporters through out the state about the messenge missing the disclaimer. Lucky for us, the support saved the message while most of the other supporters that reported the call either heard it live or deleted their answering machines before contacting us.

Below is the email I sent to your co-worker, Frankie, a while back. Once again, the recording was provided by a supporter and was not touched by our campaign in anyway. The supporter has not received any compensation from the campaign at any time or in any fashion during the election.

If you have any questions, please feel free to contact me at this email address or at 202-489-6015.

From: **Jim Gibbons** <jim@bongino.com>
Date: Thu, Nov 8, 2012 at 5:01 PM
Subject: Bongino for Senate FEC Complaint on Nov 4 robocall by Sobhani
To: fhampton@fec.gov

1584444-027

Hello Frankie,

It was a pleasure to speak to this afternoon.

It is my understanding that Federal Election Commission regulates all public communications—including robocalls—that are paid for by a federal candidate's campaign must include a disclaimer indicating that the call was paid for by the campaign so as not to mislead the public.

A robocall, we have named the "Mary" call, dropped by Mr. Sobhani on the evening of Sunday, November 4th, does not comply with Federal Communications Commission disclaimer rules, which require that a robocall include at the beginning the identity of the entity that initiated the call. In addition, during or after the message, the telephone number or address of the entity is to be mentioned as well.

Mr. Sobhani's message fails to fulfill either of these requirements.

The message can be heard by [clicking here](#).

(Here is the link as well: <http://youtu.be/3ZMSZpILer0>)

I have read in a few articles that the Sobhani campaign believes that we may have doctored the message to leave out the disclaimer.

The campaign has not touch this video in anyway, other than to post it on YouTube so others may hear it and make judgment for themselves.

It was provided to us by a campaign supporter. This individual has not received any compensation of any kind, salary or reimbursements, at any time from the campaign. We received further complaints that evening from other Republicans across the state mentioning that the call failed to leave a disclaimer. Unfortunately, they either heard it live or deleted the message on the machine.

The contact information for the individual that made the recording can be provided if requested.

I am sure they will be willing to state that they did not doctored this recording in anyway.

He simply recorded the message off his answering machine by his camera phone.

If I can be of further assistance, please let me know.

Jim Gibbons

Campaign Manager

jim@bongino.com

202.489.6015

Dan Bongino for US Senate

P.O. Box 827

Severna Park, MD 21146

301-BONGINO

www.bongino.com

Follow us on Facebook and Twitter

On Fri, Feb 22, 2013 at 4:40 PM, <jjordan@fec.gov> wrote:
Mr. Gibbons:

Pursuant to our discussion this afternoon, we understand that you will be submitting a video file, which contains the audio portion of the alleged robo call that was used on November 4th as outlined in your Complaint.

Thank you,

Jeff S. Jordan
Supervisory Attorney
Complaints Examination and
Legal Administration
Federal Election Commission
(202) 694-1552

Jim Gibbons
Campaign Manager
Bongino for US Senate
www.bongino.com[attachment "Sobhani Robo Call on Nov 4 2012.wmv" deleted by Leroy Rhinehart/FEC/US]